

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

RALPH L. BOOP,

:

Case No. 3:10-cv-022

Plaintiff,

District Judge Walter Herbert Rice  
Magistrate Judge Michael R. Merz

-vs-

MICHAEL J. ASTRUE,  
COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 15), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on December 10, 2010, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Commissioner's decision that the Plaintiff is not disabled be, and it hereby is, reversed and this case is remanded to the Commissioner for further administrative proceedings necessary to determine whether Plaintiff is disabled under the Social Security Act. as this is a fourth sentence remand, this matter shall be terminated on the Court's docket.

December 10, 2010.

Walter Herbert Rice  
United States District Judge